

THE HONORABLE JUDGE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

RUDY ST. GERMAIN, an individual,

Plaintiff,

vs.

TREIF USA, INC., d/b/a TREIF, TREIF USA,  
a Delaware corporation; and TREIF  
MASCHINENBAU GMBH, d/b/a TREIF, a  
German corporation,

Defendants.

No. 2:18-cv-01600-BJR

**STIPULATED JOINT MOTION AND  
ORDER TO AMEND CASE SCHEDULE**

**NOTE ON MOTION CALENDAR:**  
May 21, 2019

**I. STIPULATION & JOINT MOTIO TO AMEND CASE SCHEDULE**

The parties Plaintiff Rudy St. Germain and Defendants Trief USA and Treif Maschinenbau GmbH by and through their counsel of record, hereby stipulate and seek an Order requesting that the Court amend the parties January 30, 2019 Stipulation and Order to Amend Case Schedule. Good cause exists for the requested relief herein. *See* FRCP 16(b) and LCR 16(b)(5).

This case arises from the partial hand amputation of Rudy St. Germain while operating a meat cutting machine. Mr. St. Germain filed this lawsuit against the manufacturer and

1 distributor of the machine. The parties' experts conducted a joint inspection of the machine  
2 on March 26, 2019. This was done in anticipation of meeting the May 31 deadline for  
3 exchanging expert reports. Part of the plan for the inspection was to disassemble certain parts  
4 of the machine, including the N1 and A1 controllers. During the inspection, it was discovered  
5 that both of these components may have been replaced at some point in the past five years. It  
6 was determined at this point that disassembly should not occur until the entity who may have  
7 replaced the components was notified of the inspection and had an opportunity to participate  
8 in the inspection. Following the inspection, maintenance and repair records on the machine  
9 were subpoenaed and received. The entity who did the replacement is being notified of the  
10 plan to continue with an inspection that includes partial disassembly of the machine. This  
11 process has delayed the planned inspection work by two months. For this reason, the parties  
12 request that the pretrial deadlines be extended by 60 days, with the exception of the  
13 dispositive motion deadline, which the parties request be extended by 30 days.

14 For the foregoing reasons, the parties respectfully request that the Court grant the  
15 Stipulated Joint Motion to Amend Case Schedule with the new date for each respective  
16 deadline listed below:

Case Event	Previous Deadline	New Date
Deadline for joining additional parties	May 1, 2019	July 1, 2019
Deadline for filing amended pleadings	May 15, 2019	July 15, 2019
Deadline for Expert Disclosures	May 31, 2019	July 30, 2019
Deadline for Completion of Discovery	July 6, 2019	September 4, 2019
Deadline for Filing Dispositive Motions	August 6, 2019	September 6, 2019

24 The parties ask that all other deadlines in the original case scheduling order, including  
25 the trial date and pretrial deadlines, remain the same.  
26

1 DATED this 21<sup>st</sup> day of May, 2019.

2  
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4 s/Gabriella Wagner

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26 Attorneys for Plaintiff

### ORDER

21 THIS MATTER having come before the above-entitled Court upon the parties agreed  
22 Stipulation to Amend Case Schedule, in accordance with FRCP 16(b) and LCR 16(b)(5),  
23 NOW THEREFORE it is hereby:

24 ORDERED, ADJUDGED, AND DECREED that the case schedule will be amended  
25 according with the new deadlines set forth below:  
26

STIPULATED JOINT MOTION AND ORDER  
TO AMEND CASE SCHEDULE (Cause No.

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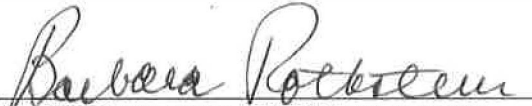


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Dated this 22nd day of May, 2019.

  
UNITED STATES DISTRICT JUDGE

Presented by:

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s/Gabriella Wagner

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